

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No.76252

Wayne M. Brown  
6010 Shady Spring Avenue  
Baltimore MD 21237

7922 St. Gregory Drive

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on May 18, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-7-310, 312; Investment Property (BCC) section 35-2-404 (a)(1)(2), failure to remove accumulations of debris and materials from rear of property on residential property zoned DR 10.5 known as 7922 St. Gregory Drive, 21227.

On May 10, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Ed Creed issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$3,500.00 (three thousand five hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on April 20, 2010 for removal of open dump/junk yard from this residential property. A Correction Notice was issued on May 3, 2010 for removal of trash and debris and rubbish from this property. This Citation was issued on May 10, 2010.

B. Photographs in the file show a large quantity of junk, trash, household items, discarded furniture, and debris strewn across the rear yard of this row home. Photographs show a mattress, upholstered furniture, and bagged garbage piled in the rear yard. This violates prohibitions against the accumulation of junk, trash and debris on residential property, and prohibitions against creation of possible harborage for rats. BCC Section 13-4-201, Section 13-7-309, Section 13-7-310.

C. State property tax records show that this is an investment property. Respondent has failed to respond to the County's notices and has failed to clean up the property.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that after June 7, 2010, the County may enter the property for the purpose of removing all junk, trash, and debris, at the expense of the property owner.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty AND any expenses incurred by Baltimore County, as authorized above, shall be imposed and placed as a lien upon the property.

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IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 25<sup>th</sup> day of May 2010

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

MZF/jaf